IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.71 of 2006

In

First appeal No.759 of 2000

1. Sulochana Chandrakant Gawade
and Anr ... Applicants

V/s

Dattatraya Arjun Palav and Ors...Respondents

Y.K.S.Legal for Applicants

K.A.Bhatt for Respondent no.1B

N.R.Jain for Respondent nos.1C and 1F

N.K.Munnaney for Respondent nos.1a,1b,1d and 2a to 2c

CORAM:S.R.SATHE,J.

DATED:24th Jan. 2006

P.C.:-

. Heard both the learned Advocates.

. This is an application seeking clarification that appointing Receiver passed by this Court on 13-9-2000 in respect of shed in question does not prevent Mumbai Municipal Corporation from taking appropriation action as permission under Mumbai Municipal Corporation Act.

. From perusal of the order dated 13-9-2000 it is very clear that is not even suggest in the said order that Mumbai Municipal Corporation cannot take appropriate action, if they want to take as permissible under law. So, there is in fact no necessity to clarify the above mentioned order. The mere appointment of Receiver for property is certainly not preclude the Mumbai Municipal Corporation from taking appropriate action according to law.

. With the above observations Civil Application is disposed of.

(S.R.SATHE,J.)